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09/933,781	08/20/2001	Jiwei R. Wang	26391-702	6743
21971	7590	07/12/2005	EXAMINER	
WILSON SONSINI GOODRICH & ROSATI			BOAKYE, ALEXANDER O	
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2667

DATE MAILED: 07/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/933,781

Applicant(s)

WANG ET AL.

Examiner

ALEXANDER BOAKYE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-6, 8-11 and 18-23 is/are allowed.
- 6) ☒ Claim(s) 1, 3, 7 and 12 is/are rejected.
- 7) ☒ Claim(s) 2 and 13-17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 08/20/2001.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 9, "the data traffic" lacks antecedent basis.

2. ***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 3 are rejected under 35 U.S.C. 102(e) as being anticipated by Do et al. (US Patent # 6,731,945).

Regarding claims 1 and 3, Do teaches a wireless system comprising: a mobile user device (column 3, lines 15-19; the digital cordless telephone handset of Fig. 3 corresponds to the claimed mobile user device) that is programmable so that it can be associated with multiple user profiles and a controller coupled to service sessions

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between the mobile user device and one gateway and server that handle wireless requests (column 3, lines 48-59 ; the claimed controller corresponds to PC of FIG. 3), wherein controller allows the user to change from a first user profile to a second user profile within a session via selections made on the mobile user device without requiring termination of the session, which results in switching the data traffic of the mobile device from one wireless gateway to another wireless gateway (column 3, lines 48-59 ; the claimed first user profile and the second user profile are resident in the server database ; see Fig.3).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Do et al. (US Patent # 6,731,945).

Regarding claim 7, Do teaches a wireless system (column 3, lines 15-19; the digital cordless telephone handset of Fig. 3 corresponds to the claimed mobile user device) comprising: a controller coupled to service sessions between the mobile user device and one or more wireless gateways and that handle wireless requests (column 3, lines 48-59; PC of Fig. 3 corresponds to the claimed controller); a plurality of wireless

gateways (Public WAP Gateway and Home WAP gateway of Fig. 3 correspond to the claimed plurality of wireless gateway) wherein the gateway is chosen dynamically by the mobile user device and end-to-end security of wireless sessions are improved by providing WTLS traffic to the wireless gateway (column 3, lines 48-59 ; see Fig. 4 for providing WTLS traffic to WAP Gateway).

The claimed enterprise firewall is resident in the Public WAP Gateway block of Fig. 3 since WAP Gateway provides a basic firewall function by allowing authenticated devices access to the organization network. Do discloses a WAP/WEB Server connected to the internet of Fig. 3 but does not explicitly disclose plurality of servers. One of ordinary skill in the art would have been motivated to incorporate servers into the communication network of Do in order to handle wireless requests. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate servers into wireless system in order to provide users to access data and applications residing on remote computers or servers which are in the World Wide Web.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Charas (US Patent # 6,781,960) in view of Holmes et al. (US Patent # 6,134,432).

Regarding claim 12, Charas teaches a wireless system using a routing table (column 2, lines 16-22), the routing table comprising: a table of table entries stored in memory within the system (column 3, line 66-column 4, lines 1-8); wherein each routing entry contains a quality of service parameter (column 4, lines 2-3). Charas does not teach each table entry within the table being capable of pointing to one or more routing

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entries and also one or more routing entries coupled to one or more table entries.

Holmes discloses each table entry within the table being capable of pointing to one or more routing entries and also one or more routing entries coupled to one or more table entries (column 9, lines 27-28; column 13, lines 58-60). One of ordinary skill in the art would have been motivated to incorporate table entry capable of pointing to routing entries into the communication network in order to define object attributes. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate table entry capable of pointing to routing entries such as the one taught by Holmes into the wireless network of Charas with the motivation being that it provides capability for the system to forward packet to correct address.

#### ***Allowable Subject Matter***

4. Claims 2 and 13-17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 4-5, 6, 8-11, 18-22 and 23 are allowable.

The following is a statement of reasons for the indication of allowable subject matter: As to claims 4 and 5, the prior art of record does not teach a service selection management program coupled to the controller, wherein the controller provides service selection information to the service selection management program and the service selection management program communicates with the mobile user device to allow

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service selections to be dynamically changed while a wireless session is being conducted, and wherein subscriber identifiers and other parameters are placed into the wireless requests to identify the changing service requirements.

As to claim 6, the prior art of record does not teach a service selection management program coupled to the controller, wherein the controller provides service selection information to the service selection management program to allow the operator to dynamically establish differentiated revenue models with tiered service based on one or more of a geo-position of the mobile user device, data packet quality of service (QoS), transport security settings, network loading or prioritized resource utilization levels.

As to claims 8-11, the prior art of record does not teach a service selection management program coupled to the controller; and a plurality of wireless gateways that handle wireless requests and are connected between the controller and the one or more servers wherein the service selection management program monitors information associated with a wireless session to determine selectively which wireless gateway is to process that wireless session.

As to claim 23, the prior art of record does not teach fixing a static address within a mobile device; receiving, in a foreign network, a request from the mobile device where the request is associated with the static IP address; forwarding the request from the foreign network to a wireless gateway within the home network using the static IP address; and processing, within the home network, the request using parameters and service settings stored within the home network.

### Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Boakye whose telephone number is (571) 272-3183. The examiner can normally be reached on M-F from 8:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (571) 272-3179. The Central Fax number is (571) 273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Electronic Business Center numbers 866-217-9197 and 703-305-3028.

Alexander Boakye

Patent number

AB

07/10/05



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